20th March 1950]

THE DEPUTY CHAIRMAN :—" I have to inform the House that, in accordance with the regulations framed by the Hon. Chairman for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. on Wednesday, the 22nd March 1950, as the time within which nomination of candidates for election to the House Committee should reach the Secretary. There will be an election on a date to be announced in due course if the number of candidates nominated exceeds six."

(2) COMMITTEE OF PRIVILEGES.

THE HON. DR. T. S. S. RAJAN :—" Sir, I move—

' *that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year* 1950–51.' "

THE DEPUTY CHAIRMAN :—" Motion moved—

' that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1950–51.' "

SRI R. SURYANARAYANA RAO :—" Sir, under the old rules, we did not have this Committee of Privileges. I wish the Hon. Leader of the House to enlighten us as to why this Committee is proposed under the present rules. Though the rules have been made by the Chairman, I am sure the Government would have been consulted. For the past few days we have been hearing a great deal about the appointment of a committee of privileges and so on. We would like to know whether membership of the committee involves duties of a very high order, and what the functions of the committee are, so that we can vote for those who are competent to deal with matters coming before the committee."

THE HON. SRI K. MADHAVA MENON :—" Sir, may I say a few words with your permission?

" Article 194 of the Constitution lays down certain powers, privileges and immunities of a House of the Legislature and the Members thereof and in other respects they shall be such as may from time to time be defined by the Legislature by law, and, until so defined, shall be those of the House of Commons of the Parliament of the United Kingdom and of its members at the commencement of this Constitution. In the revised Council Rules, provision is made for the constitution of a Committee of Privileges analogous to the practice existing in the House of Commons. The work of the Committee is to look into complaints about breach of privileges and report to the Chairman or the House.

[Sri K. Madhava Menon] [20th March 1950

"When this subject came up before the Assembly, the Hon. Speaker said that he was preparing a note on the Committee of Privileges, how it is functioning in England, what its powers and duties are and so on. I am sure the Members of this House will get a copy of the note that will be circulated to the Members of the Assembly."

SRI R. SURYANARAYANA RAO :—" May I know whether this Committee of Privileges will be competent to go into complaints against Ministers who are Members of this House?"

THE HON. SRI K. MADHAVA MENON :—" This question does not arise. Only complaints relating to breach of privileges of the House will be referred to it."

MRS. M. HENSMAN :—" Sir, may we know what our privileges are and what we are immune from? "

THE HON. SRI K. MADHAVA MENON :—" Certain powers, privileges and immunities are defined in Article 194. In other respects, we have the powers, privileges and immunities as defined by the Legislature by law, and, until so defined, shall be those of the House of Commons. But we are not enjoying all the privileges of the House of Commons. There it has been decided that Parliament is superior to the High Court in matters of interpretation. But in our country the Supreme Court is superior to the Legislature."

THE DEPUTY CHAIRMAN :—" The question is—

'that, with reference to rule 143 of the Madras Council Rules, this Council do proceed on a date to be fixed by the Hon. Chairman to elect nine members to be members of the Committee of Privileges for the financial year 1950–51'."

The motion was carried.

THE DEPUTY CHAIRMAN :—" I have to inform the House that, in accordance with the regulations framed by the Hon. Chairman for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix 5 p.m. in Wednesday, the 22nd March 1950, as the time within which nomination of candidates for election to the Committee of Privileges should reach the Secretary. There will be an election on a date to be announced in due course if the number of candidates nominated exceeds nine."

(3) THE MADRAS AND SOUTHERN MAHRATTA RAILWAY LOCAL ADVISORY COMMITTEE.

THE HON. SRI M. BHAKTAVATSALAM :—" Sir, I move—

'*that as the Local Advisory Committee of the Madras and Southern Mahratta Railway has to be reconstitute with effect from a date to be notified by the General Manager, Madras and Southern Mahratta Railway and as the*